

MAR 23 2007



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**FAX TRANSMISSION COVER SHEET****To:** Examiner Tung T. VO**Telephone:**

Art Unit: 2621

**March 23, 2007****Fax Number:**

**Mail Stop: Amendment**  
**Commissioner for Patents**

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**(571) 273-8300**

**From:** Andrew B. Schwaab  
Reg. No. 38,611  
Tel: 650-833-2258

**Attorney-Docket**  
**Number:**

352000-902001 (previously  
2102484-902001)

**Re:** U.S. Patent Application No. 10/618,344  
Filed: July 10, 2003  
Applicant/Inventor(s): Ulug BAYAZIT  
Entitled: METHOD AND APPARATUS FOR ESTIMATING AND  
CONTROLLING THE NUMBER OF BITS OUTPUT FROM A VIDEO CODER

**Pages:** 8 - (including this form)**Originals:** will not follow

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**Enclosed are the following documents:**

1. (This) Fax Cover/Transmittal/Certificate of Transmission under 37 CFR 1.8 (1 pg); &
2. Transmittal Form (PTO/SB/21) (1 pg); and
3. Response to Notice of Non-Compliant Amendment (37 CFR 1.121) (6 pgs).

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PTO/S&amp;Z/1 (09-06)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

|                        |               |
|------------------------|---------------|
| Application Number     | 10/618,344    |
| Filing Date            | July 7, 2003  |
| First Named Inventor   | Ulug BAYAZIT  |
| Art Unit               | 2621          |
| Examiner Name          | Tung T. VO    |
| Attorney Docket Number | 352000-902001 |

**ENCLOSURES (Check all that apply)**

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☒ Amendment/Reply/Response
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/  
Incomplete Application
- ☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a  
Provisional Application
- ☐ Power of Attorney, Revocation  
Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board  
of Appeals and Interferences
- ☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify  
below):
1. Response to Notice of Non-  
Compliant Amendment of 2-23-07 (6  
pgs; and
2. Fax Cover Sheet & Certificate of  
Transmission under 37 CFR 1.8 (1 pg).

**Remarks**

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 07-1896 (Docket No. 352000-902001).

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                          |
|--------------|--------------------------|
| Firm Name    | DLA PIPER US LLP         |
| Signature    | <i>Andrew B. Schwaab</i> |
| Printed name | ANDREW B. SCHWAAB        |
| Date         | March 23, 2007           |

Reg. No. 38,611

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |                           |
|-----------------------|---------------------------|
| Signature             | <i>Maria Paula Kovacs</i> |
| Typed or printed name | Maria Paula Kovacs        |

Date March 23, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EM7216417.1  
352000-902001American LegalNet, Inc.  
www.FormsWorkflow.com

Appl. No.: 10/618,344  
Response to Notice filed March 23, 2007  
Replying to Notice of Non-Compliant Amendment of  
Feb. 23, 2007

**MAR 23 2007** **PATENT**  
Attorney Docket No. 352000-902001  
Customer No.: 26379

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/618,344  
Applicant : Ulug Bayazit  
Filed : July 7, 2003  
TC/A.U. : 2621  
Examiner : Tung T. VO  
Docket No. : 352000-902001  
Customer No. : 26379

Confirmation No. 5234

Title: **METHOD AND APPARATUS FOR ESTIMATING AND CONTROL-  
LING THE NUMBER OF BITS OUTPUT FROM A VIDEO CODER**

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment of February 23,  
2007, please enter the claim set provided below.

**Amendments to the Claims** are reflected in the listing of claims which  
begins on page 2 of this paper.

The Commissioner is authorized to charge any deficiencies in fees and  
credit any overpayment of fees to Deposit Account **No. 07-1896** referencing  
Attorney Docket No. **352000-902001**.

Respectfully submitted,  
**DLA PIPER U.S. LLP**

Dated: March 23, 2007

By



Andrew B. Schwaab

Reg. No. 38,611

Attorneys for Applicants

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